

Approved: 11- 16
Attest:

Bridget Donnell Newton
Ana Lopez-Serrell

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
February 08, 2016
Meeting No. 04-16
7:00 p.m.

Executive Session Summary for February 8, 2016

Convene in Open Session to vote on motion to go into Executive Session pursuant to Section 3-305(b)(1)(i) of the General Provisions Article of the Annotated Code of Maryland to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of the City Manager, an employee over whom the Mayor and Council has jurisdiction.

The Mayor and Council met in Executive Session on Monday, February 8, 2016, at 6:00 p.m. in the Diamondback Terrapin Conference Room, City Hall, 111 Maryland Avenue, Rockville, Maryland.

Councilmember Feinberg, made the motion to convene in Executive Session, seconded by Councilmember Pierzchala, and passed with Mayor Newton and Councilmember Palakovich Carr in favor and Councilmember Onley absent.

Present:

Mayor Bridget Donnell Newton, Councilmember Beryl Feinberg, Councilmember Virginia Onley, Councilmember Julie Palakovich Carr and Councilmember Mark Pierzchala. Also present was City Attorney, Debra Daniel, and Director of Human Resources Karen Marshall.

Executive Session pursuant to Section 3-305(b)(1)(i) of the General Provisions Article of the Annotated Code of Maryland to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of the City Manager, an employee over whom the Mayor and Council has jurisdiction.

Motion: to adjourn.

Moved by Councilmember Palakovich Carr, seconded by Councilmember Onley, and passed unanimously.

The Executive Session adjourned at 7:00 p.m.

Present:

Mayor Bridget Donnell Newton, Councilmember Beryl Feinberg, Councilmember Virginia Onley, Councilmember Julie Palakovich Carr and Councilmember Mark Pierzchala.

Staff Present:

City Manager Barbara Matthews, Acting City Clerk Sara Taylor-Ferrell, and City Attorney Debra Daniel.

1. Convene

Convene in Open Session to vote on motion to go into Executive Session pursuant to Section 3-305(b)(1)(i) of the General Provisions Article of the Annotated Code of Maryland to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of the City Manager, an employee over whom the Mayor and Council has jurisdiction.

2. Reconvene**3. Reconvene in Open Session**

The Mayor Newton and Council convened in a regular meeting at 7:00 p.m. on Monday February 8, 2016. In the Mayor and Council Chambers, City Hall, 111 Maryland Avenue, Rockville, Maryland.

4. Pledge of Allegiance

Mayor Newton led the Pledge of Allegiance.

5. Agenda Review

Acting City Clerk Sara Taylor-Ferrell noted there were no changes to the agenda.

6. City Manager's Report

City Manager, Barbara Matthews announced a special Lunar New Year celebration to honor Rockville's Asian cultures on Saturday, February 13, from 10:00 a.m.- 2:00 p.m. at the F. Scott Fitzgerald Theatre at Rockville Civic Center Park. This free event will highlight Rockville's diverse community through multigenerational performances from 10 a.m. to noon.

The celebration is organized by Rockville's Asian Pacific American Task Force. Janet Kelly can be reached at 240-314-8316 or you may visit www.rockvillemd.gov/lunarnewyear for more information.

City Manager, Barbara Matthews mentioned that there will be a dedication ceremony for the recently renovated South Pool at the City's Swim and Fitness Center on Saturday, February 13, from 9:00 – 9:30 a.m. at the Rockville Swim and Fitness Center at 355 Martins Lane.

City Manager, Barbara Matthews stated that the City's Human Rights Commission is sponsoring "Building Bridges in a Diverse Society" on Saturday, February 20, from 9:00 a.m. to 3:00 p.m. The workshop will be held at the Pump House, located at 401 S. Horners Lane. The workshop is open to Rockville area high school students and Montgomery College, Rockville campus students. It is designed to help students recognize prejudice and create an environment of inclusion in their schools.

Registration is free. Student learning service credits will be offered and lunch will be provided. Please contact Janet Kelly for more information or to register by calling 240-314-8316 or jkelly@rockvillemd.gov.

City Manager, Barbara Matthews informed everyone that Rockville City Hall, Glenview Mansion, Croydon Creek Nature Center, Rockville Senior Center and the F. Scott Fitzgerald Theatre box office will be closed on Monday, February 15, in observance of President's Day. Community Centers and the Rockville Swim Center will be open regular hours and the Recycling and Refuse schedule will not change. Call 240-314-5000 or visit www.rockvillemd.gov for more information.

7. Community Forum

Citizen	Issue
Alonzo Smith	move confederate statute
Marie Reed	keep confederate statute
Susan Soderberg	keep confederate statute
Linda Plummer	New President of Montgomery County NAACP, supports removal of the confederate statute
Alexa Frasier	move confederate statute
Molly Hauck	move confederate statute
Amanda Becker	keep confederate statute
Sharon Williams	move confederate statute, Coming to the Table, meets second Saturday, Westminster Church in DC

Ann Seltz	Rockville Villages Advisory Committee meeting February 23 at 9:00 p.m.
James Loewen	move confederate statute
Agnes Saenz	support FY17 grant program for Rockville Caregivers Coalition
Matthew Logan	move confederate statute
Rebecca Wilding	keep confederate statute
David King	keep confederate statute
Fedon Vayamis	Environmental Commission, thank you for the nomination
Dave Loomis	move confederate statute
Nancy Piccard	keep confederate statute
Ruth Hanessian	Villages Concept, meeting on Feb. 16
Eileen McGuckian	keep confederate statute
Douglas Murphy	move confederate statute
Steve Lackum	move confederate statute

8. Mayor and Council's Response to Community's Forum and Announcements

Councilmember Feinberg thanked everyone for coming out and hopes they will stay for the continued conversations. She also thanked Agnez Saenz for her participation at tonight's meeting.

Mayor Newton echoed her thanks and mentioned for people to stay for the discussion on the confederate statute.

9. Mayor and Council Reports

Councilmember Palakovich Carr thanked the BSE for the Post Election Forum and the great opportunity.

Councilmember Pierzchala thanked the BSE, but was unable to attend the forum as he was in Austria attending a Human Rights Commission meeting.

Councilmember Feinberg stated she attended the BSE Post-Election Forum; positive and landmark 4 year term; district location for 7; some other code changes.

Councilmember Onley thanked the (well attended) BSE Post-Election Forum and said she received a lot of suggestions for future election.

Mayor Newton stated she was in Annapolis, Maryland testifying before the Ways and Means Committee; she thanked Community Ministries of Rockville for inviting her to speak at their annual meeting, everyone who volunteered in the community, BOSE – mentioning there are many improvements to be made East Rockville and District 7 needs voting places; and she also expressed her pleasure in being able to serve the City for a 4 year term.

10. Appointments/Reappointments and Announcements of Vacancies of the Boards and Commission

Motion: to reappoint Karen Becker and Allison Putman to Animal Matters Board for three year term until February 1, 2019.

Moved by Councilmember Palakovich Carr, seconded by Councilmember Feinberg and unanimously approved.

Motion: to appoint Mike Bevel to the Cultural Arts Commission for a three year term until February 1, 2019.

Moved by Councilmember Onley, seconded by Councilmember Pierzchala and unanimously approved.

Motion: to reappoint Rosanne Herwitz to the Ethics Commission for a three year term until February 1, 2019.

Moved by Councilmember Feinberg, seconded by Councilmember Onley and unanimously approved.

Motion: to appoint Fedon Vayamis to the Environment Commission for a three year term until February 1, 20169.

Moved by Councilmember Pierzchala, seconded by Councilmember Feinberg and unanimously approved.

Motion: to appoint Ebony Davis to the Human Rights Commission for a three year term until February 1, 2019.

Moved by Councilmember Onley, seconded by Councilmember Feinberg and unanimously approved.

Motion: to appoint Julie Pelletier as an at-large member to the Human Services Advisory Commission for a three year term until February 1, 2019.

Moved by Councilmember Feinberg, seconded by Councilmember Palakovich Carr and unanimously approved.

Motion: to appoint Stephanie Tincher to the Historic District Commission for a three year term until February 1, 2019.

Moved by Councilmember Pierzchala, seconded by Councilmember Onley and unanimously approved.

Motion: to reappoint Don Hadley to the Planning Commission for a five year term until February 2, 2021.

Moved by Councilmember Feinberg, seconded by Councilmember Palakovich Carr. The motion failed 2-3 with Councilmembers Onley, Palakovich Carr and Pierzchala voting not to approved and Mayor Donnell Newton and Councilmember Feinberg voting to approve.

Motion: to appoint Norma Brailford to the Senior Citizens Commission for three year term until February 1, 2019.

Moved by Councilmember Palakovich Carr, seconded by Councilmember Onley and unanimously approved.

Motion: to appoint Derk Whatley to the Recreation and Parks Advisory Board for a three year term until February 1, 2019.

Moved by Councilmember Pierzchala, seconded by Councilmember Feinberg and unanimously approved.

Motion: to reappoint Gerald Holtz to the Traffic and Transportation Commission for a three year term until February 1, 2019.

Moved by Councilmember Onley, seconded by Councilmember Palakovich Carr and unanimously approved.

Motion: to appoint Mike Stein and Garrett Clemmons to the Traffic and Transportation Commission for a three year term until February 1, 2019.

Moved by Councilmember Onley, seconded by Councilmember Feinberg and unanimously approved.

Mayor Newton announced the vacant positions to the following Boards and Commissions: Animal Matters Board, Financial Advisory Board, Historic District Commission, Human Services Advisory Commission, Rockville Seniors, Inc., Board of Appeals, Compensation Commission, Senior Citizens Commission and Landlord Tenant Affairs Commission.

11. Montgomery County's Request for the City of Accept the Placement of the Confederate Statute on City Property Located at 103 West Montgomery Avenue, known as the Beall-Dawson Park

Motion: to not accept the placement of the Confederate Statue on City Property of Beall Dawson

Councilmember Pierzchala moved, seconded by Councilmember Palakovich Carr. The motion passed 4-1, with Councilmember Feinberg opposing.

12. Town Center/Bus Rapid Transit Study Work Session with Consultant Team from Environmental Resources Management (ERM)

Andrew Gunning presented a brief follow-up discussion on Bus Rapid Transit (BRT). Several questions were posed to the Mayor and Council. A lengthy discussion between the Mayor and Council, Planning Commission, consultants Holland & Knight and staff ensued.

13. FY 2017 Budget Preview/Work Session #2

This item was rescheduled for the next Mayor and Council meeting due to the delay caused by the overwhelming response to the Community Forum - Confederate Statue item.

14. Adoption of a Resolution to Enlarge the Corporate Boundaries of the City of Rockville to Include 4.032 Acres of Land, more or less, of 355 Partners, LLC (Annexation Petition ANX2015-00145, a Request to Annex 4.032 Acres of Land, known as Parcel N, Derwood Subdivision, located at 15931 Frederick Road; 355 Partners, LLC and Frederick Road, LLC Petitioners)

Brian Wilson stated there was no new information to provide and was available for any additional questions from the Mayor and Council.

Motion: to adopt the resolution

Moved by Councilmember Pierzchala, seconded by Councilmember Feinberg and unanimously approved.

15. Introduction, and Possible Adoption, of an Ordinance to Amend the Zoning Map by Adding 4.032 Acres of Land, more or less, of 355 Partners, LLC, owners, and Placing Said Property in the MXTD, Mixed Use Transit District Zone, per Annexation Petition ANX2015-00145

Brian Wilson was available for any additional questions and comments from the Mayor and Council.

Motion: to introduce the ordinance

Moved by Councilmember Feinberg.

Motion: to waive the layover period

Moved by Councilmember Onley, seconded by Councilmember Palakovich Carr and unanimously approved.

Motion: to adopt the ordinance

Moved by Councilmember Palakovich Carr, seconded by Councilmember Onley and unanimously approved.

16. Adoption of a Resolution to Authorize the Execution of an Agreement for Certain Conditions of Annexation of the Property of 355 Partners, LLC (Annexation Petition ANX2015-00145, a Request to Annex 4.032 Acres of Land known as Parcel N, Derwood Subdivision, located at 15931 Frederick Road; 355 Partners, LLC and Frederick Road, LLC, Petitioners)

Brian Wilson was available for any additional questions and comments from the Mayor and Council.

Motion: to adopt the ordinance

Moved by Councilmember Onley, seconded by Councilmember Feinberg and unanimously approved.

17. Review and Comment – Mayor and Council Action Report

The Mayor and Council went over the Action Report and made recommendations, comments and corrections.

18. Review and Comment – Future Agendas

The Mayor and Council went over the Future Agendas and made recommendations, comments and corrections.

19. Old/New Business

Councilmember Pierzchala approved the Vision Zero letter with noted corrections to President Floreen's title.

Motion: send Vision Zero Letter

Moved by Councilmember Palakovich Carr, seconded by Councilmember Pierzchala and unanimously approved.

Senate Bill 271 – Capital Grant Program for Local School system with Significant Enrollment Growth or Relocated Classrooms

Motion: the City support and submit a position paper

Moved by Councilmember Palakovich Carr, seconded by Councilmember Onley and unanimously approved.

Councilmember Palakovich Carr expressed her concern that the funding for the BRT studies of several corridors including Route 355 and Viers Mill is running out. She says it's important for the City to weigh in with a statement about BRT funding in the testimony for the County CIP public hearing.

Councilmember Pierzchala would like to draft a letter and include testimony jointly with the City of Gaithersburg, or not, depending on this body's decision.

Mayor Newton asked for support at the MML luncheon on March 8, in Annapolis. City Manager Matthews reminded Mayor and Council to pass along their input about the Town Center Parking work session.

20. Adjournment into Executive Session pursuant to Section 3-305(b)(1)(i) of the General Provisions Article of the Annotated Code of Maryland to discuss the appointment, employment, assignment, and compensation of the City Clerk, an appointee over whom the Mayor and Council has jurisdiction (City Clerk).

Motion: to adjourn into Executive Session at 11:37 p.m.

Moved by Councilmember Pierzchala, seconded by Councilmember Palakovich Carr and unanimously approved.